

REMARKS

Claims 1 - 8, 10 - 16, 19 - 25 and 27 - 32 are pending for consideration in the application. Claims 9, 17 and 18 were previously canceled, and claim 26 is canceled by the present amendment. Claim 32 is newly added. Applicants are requesting reconsideration of the present application.

On July 1, 2009, Applicants submitted an amendment to the drawings (hereinafter "the previous amendment"). More particularly, the previous amendment added, to FIG. 1, a logic device 32 that was coupled to, but not positioned within, intelligent unit 12. The Office Action, on page 2, is objecting to the specification and the drawings on the grounds that the previous amendment introduced new matter. In particular, the Office Action notes that the previous amendment depicts logic device 32 residing outside of intelligent unit 12, but asserts that the specification only provides support for logic device 32 residing inside of intelligent unit 12. In this regard, the Office Action quotes PG PUB paragraph 0031, which states:

The intelligent units 11, 12, 13, 14 and 15 thus each have system-specific system components, such as sensors and/or actuators, and also have an associated logic device, which is not illustrated in any more detail, for processing of data for configuration.

With further regard to the above-quoted passage, the Office Action asserts that "have" is synonymous with "contain".

Applicants respectfully disagree with the Office Action's interpretation of the above-quoted paragraph. In particular, Applicants respectfully submit that the passage indicates that intelligent unit 12 has an associated logic device, and as such, does not require that the logic device be situated within intelligent unit 12, but instead, covers embodiments in which the logic device is located either within intelligent unit 12 or outside of intelligent unit 12. Nevertheless, for the sake of advancing prosecution, Applicants are amending FIG. 1 to show logic device 32 being situated within intelligent unit 12. A withdrawal of the objections to the specification and the drawings is respectfully requested.

On September 25, 2009, Applicants submitted an information disclosure statement (IDS) (hereinafter "the IDS") that included a PTO-1449 that lists a German-language document, namely, DE 297 06 969. The Office Action, on page 3, indicates that the IDS is deficient in that the IDS did not include an explanation of relevance, an English abstract, or a translation of DE 297 06 969. At the time of the submission of the IDS, Applicants did not have any of an explanation of relevance, an English abstract, or a translation of DE 297 06 969, but have now obtained an English translation of DE 297 06 969. With the present document, Applicants are submitting another IDS and another PTO-1449 (hereinafter "the PTO-1449") with the English translation of DE 297 06 969. Accordingly, Applicants are requesting that with the next communication, the Examiner please include a copy of the "PTO-1449" marked to show that the Office considered DE 297 06 969.

On page 4 of the Office Action, claims 1 - 8, 10 - 16 and 19 - 31 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0016891 to Hagino (hereinafter "the Hagino publication"). Applicants are traversing this rejection.

Claim 1 provides for a method that includes:

situating a configuration device at an installation location in a system, wherein the configuration device is configured for coupling to an intelligent unit, and is not a component of said intelligent unit; and
storing data in the configuration device, pertaining to the installation location, wherein the data comprises behavior or function description data for the intelligent unit, and wherein the data is transmitted from the configuration device to a logic device that processes the data for configuration of the intelligent unit.

The Hagino publication, with reference to FIG. 1, describes a first embodiment of a control system (par. 0019) that includes a host controller 110A connected to a plurality of field devices 130E, 130F, 130G and 130H via a transmission line L and a plurality of connectors 120E, 120F, 120G and 120H in a network (par. 0022). With reference to FIG. 2, the Hagino publication explains that each connector 120 has a network ID (par. 0027) that represents a respective connected position to the network (par. 8), and each field device 130 has a device ID that is different for each type of field

devices 130E - 130H (par. 0028). As shown in FIG. 3, each connector 120 includes a DIP switch 122, and each field device 130 includes a communication CPU 132. DIP switch 122 holds the network ID of its respective connector 120, which is unique on the network (par. 0034). Communication CPU 132 reads the setting value (network ID) of DIP switch 122, and based on both the read setting value and the device ID determined depending on the type of field device 130, communication CPU 132 determines the node address and carries out communication using the node address thus determined (par. 0035).

With reference to FIGS. 7 and 8, the Hagino publication describes a second embodiment that includes (a) a connector 120X having a DIP switch 122 that holds the network ID, and a communication CPU 124, and (b) a field device 130X having a register 134 that holds the device ID (par. 0079). The construction of the second embodiment shown in FIG. 7 is similar to that of the embodiment of FIG. 1 (par. 0077), however, in the second embodiment, connector 120X has the function of communication with the host controller 110 through communication CPU 124 (par. 0079).

The Office Action, on page 4, suggests that (a) the connector 120, 120X serves as the configuration device of claim 1, and (b) the communication CPU 124, 132 serves as the logic device of claim 1. Applicants respectfully disagree with the Office Action's interpretation of the operations of the connector 120, 120X and the communication CPU 124, 132.

As noted above, in the systems described by the Hagino publication, the network ID of connector 120 (i.e., setting of DIP switch 122) and the device ID of field device 130 are used to derive the node address of the field device 130, to enable communication between host controller 110A and the field device 130. In this regard, the Hagino publication presents an example in which the host controller 110A receives a message from field device 130E (indicative of an output value of a photosensor 140 exceeding a threshold) and transmits a control signal for motor driving to field device 130F (par. 0023).

Although the Hagino publication describes connector 120 (setting of DIP switch 122) as having a network ID that is used to derive the node address for field device 130, a network ID is not behavior or function description data, and therefore, connector 120 does not contain behavior or function description data. Hence, the Hagino publication does not disclose **a configuration device having data stored therein that comprises behavior or function description data**, as recited in claim 1.

Although the Hagino publication describes a communication in which the host controller 110A receives a message from field device 130E (indicative of an output value of a photosensor 140 exceeding a threshold) and transmits a control signal for motor driving to field device 130F, the control signal for motor driving is not for configuring field device 130F, and therefore, neither of communication CPU 124 or 132 processes data for configuration of a field device 130. Therefore, the Hagino publication does not disclose a logic device that **processes the data for configuration** of the intelligent unit, as recited in claim 1.

For the reasons provided above, Applicants respectfully submit that the Hagino publication does not anticipate claim 1.

Claims 2 - 7, 30 and 31 depend from claim 1. By virtue of this dependence, claims 2 - 7, 30 and 31 are also novel over the Hagino publication.

Claim 8 previously depended from claim 1. Applicants are rewriting claim 8 in independent form, and to include recitals similar to those of claim 1, described above. Thus, claim 8, similarly to claim 1, is novel over the Hagino publication.

Claims 10 - 16, 19 - 25 and 27 - 29 depend from claim 8. By virtue of this dependence, claims 10 - 16, 19 - 25 and 27 - 29 are also novel over the Hagino publication.

Claim 26 is canceled. As such, the rejection thereof is rendered moot.

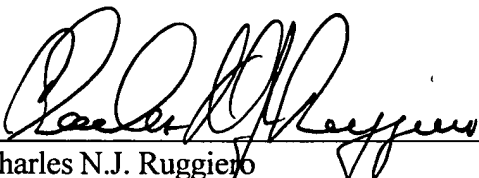
Applicants are requesting reconsideration and a withdrawal of the section 102(b) rejection of claims 1 - 8, 10 - 16 and 19 - 31.

As noted above, Applicants are rewriting claim 8 in independent form. Applicants are amending claims 10 - 13, 15, 16 and 19 - 25, for one or both of consistency with claim 8, and to avoid recitals that do not appear to be necessary for patentability. Applicants are adding claim 32 to preserve a claim to subject matter that that is being deleted from claim 22.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

February 26, 2010
Date


Charles N.J. Ruggiero
Reg. No. 28,468
Attorney for the Applicants
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: 203-327-4500
Fax: 203-327-6401